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Box 500

Docket No.: PC-0040 CIP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on October 3, 2001
By: Clara Alcazar
Printed: Clara Alcazar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

Title: DIAGNOSTIC MARKER FOR HUMAN CANCERS

Serial No.: 09/877,633

Filing Date: June 08, 2001

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Postcard;
2. Transmittal Fee Sheet (1 pg., in duplicate);
3. Response to Notice to File Missing Parts (2 pgs. in duplicate);
4. Copy of Notice to File Missing Parts (1 pgs.);
5. Executed Declaration and Power of Attorney (3 pgs.);
6. Submission Under 37 CFR §1.821-1.825 Sequence Listing (1 pg.); and
7. Copy of the Sequence Listing in computer readable form which complies with the requirements of 37 CFR §1.824 and is IBM PC compatible using a UNIX operating system with PERL Program.

The fee has been calculated as shown below.

| | | |
|----------|---------------------------------------------------------|-----------------|
| <u>X</u> | Fee for Notice to File Missing Parts | \$130.00 |
| <u>X</u> | Please charge Deposit Account No. 09-0108 the amount of | <u>\$130.00</u> |

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: October 3, 2001

David B. Shuter Reg. No. 43,168
for Lynn E. Murry, Ph.D.
Reg. No. 42,918
Direct Dial Telephone: (650) 845-4159

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Attn: Box Missing Parts, Washington, D.C. 20231 on October 3, 2001

By: Clara Alcazar

Printed name: Clara Alcazar



Docket No.: PC-0040 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Title: **DIAGNOSTIC MARKER FOR HUMAN CANCERS**

Serial No.: **09/877,633**

Filing Date: **June 08, 2001**

Examiner: **To Be Assigned**

Group Art Unit: **To Be Assigned**

Commissioner for Patents
Attn: **Box Missing Parts**
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
FILING DATE GRANTED**

Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the United States Patent and Trademark Office on 08/07/01, Applicants submit the following documents to complete the filing for the above-identified patent application:

1. Copy of Notice to File Missing Parts of Application, Filing Date Granted;
2. **Executed** Declaration and Power of Attorney for United States Patent Application (3 pages);
4. Return postcard.

Basic surcharge fee for filing the declaration: **\$ 130.00**

Total fees charged to Deposit Account No. 09-0108: **\$ 130.00**

If the Patent Office determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) **Deposit Account No. 09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

This response is enclosed in **duplicate**.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: October 3, 2001

David B. Shute Reg. No. 43,168
for Lynn E. Murry, Ph.D.

Reg. No. 42,918

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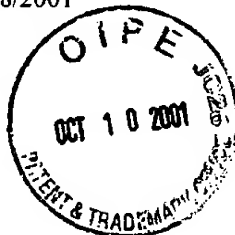


UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/877,633 | 06/08/2001 | Preeti Lal | PC-0040 US |

INCYTE GENOMICS, INC.
3160 Porter Drive
Palo Alto, CA 94304



CONFIRMATION NO. 9282

FORMALITIES LETTER



OC000000006393780

Date Mailed: 08/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/15/2001 HTECKLU1 00000002 090108 09877633

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE